

The Muscatine County Zoning Commission met in the Board of Supervisors Office on Friday, December 7, 2018, with Chairperson Tom Harper and board members Virginia Cooper, Carol Schlueter and Brad Akers present, Carl Kleppe Jr. was absent. Eric S. Furnas, Planning & Zoning Director and Dixie Seitz, Office Administrator were also in attendance.

Others present for this hearing: Shawne Hindbaugh.

Tom Harper: I will open this public meeting of the Zoning Commission and we have some administrative things to take care of first. Since this is the first meeting of the new session for the Zoning Commission we need to appoint a chairperson and a vice chairperson to serve until 11/07/19. I will entertain a motion to nominate a new chairperson.

Carol Schlueter: I will nominate Tom Harper for chair.

Virginia Cooper: I would second it.

Tom Harper: Any other nominations? Any other nominations?

Virginia Cooper: Oh just let it go there.

Tom Harper: Okay, all those in favor of reappointing Tom Harper as chairperson please say Aye (3) Opposed (Harper) Absent (Kleppe). Okay, we also need nominations for a vice chairperson.

Carol Schlueter: I will nominate Virginia Cooper as vice chairperson.

Brad Akers: I'll second.

Tom Harper: Any other nominations? Not hearing any, all those in favor of reappointing Virginia Cooper as the vice chairperson please say Aye (4) Opposed (0) Absent (Kleppe). Do we have any minutes to approve?

Dixie Seitz: Yes I had emailed you the minutes for Deahr's 2nd Addition.

Tom Harper: Okay, is there any discussion, changes or corrections on the minutes? If not, is there a motion to approve the minutes of the last meeting?

Virginia Cooper: I will move to approve the minutes from the last meeting.

Carol Schlueter: I will second it.

Tom Harper: A motion has been made and seconded to approve the minutes from last month. All those in favor please signify by saying Aye (4) Opposed (0) Absent (Kleppe). The minutes have been approved. I will open the public hearing for the Muscatine County Zoning Commission and read our mission. The Muscatine County Zoning Commission is a five member group of residents of the County who are appointed by the Muscatine County Board of Supervisors. We serve as non-professionals and without compensation. Our purpose is to advise the Muscatine County Board of Supervisors on managing the growth of the County. This involves reviewing subdivisions, rezoning requests, the use of public property, and reports related to land use policy and long range planning. Recognizing that our decisions will not satisfy everyone, we attempt to base our decisions on what is best for the long term interest of the County. We ask for your input, pro or con, on issues before us in order that we may formulate the best decisions possible. Please take this opportunity to share your thoughts and concerns with us. Our recommendations are not taken lightly by the Board of Supervisors, but the Board of Supervisors, your elected representatives, make the final decisions on all issues. Are you the applicant?

Shawne Hindbaugh: Yes.

Tom Harper: The disclaimer here is that normally this is a five member board and for any recommendation to go forward it would have to have an affirmative vote of three. Since there is four members here today, if it is a tie vote, it would not be a positive recommendation. You have the option of ... leading up to the time of us taking the vote, having us table your request until the next meeting. I couldn't guarantee that we would have five members at the next meeting. It's up to you.

Shawne Hindbaugh: What are the chances?

Tom Harper: Maybe 50 – 50. Half the time we've got a full board and the other half we have three or four members. Eric, would you please read the request?

Eric Furnas: Zoning Agenda Item #01. Otis L. Hindbaugh Jr. and Shawne A. Hindbaugh, Record Owners, request approval of the preliminary and final plat of the proposed three (3) lot residential subdivision, Gander Ridge Subdivision Phase II. This proposed subdivision is located partially in the City of Muscatine and in Bloomington Township, in the SW¼ of Sec. 22-T77N-R2W, North of the US Hwy. 61 Bypass and West of Tipton Road, 3802 Tipton Road, containing approximately 8.91 acres and is zoned R-1 Residential District.

Tom Harper: Okay, would the applicant please tell us a little bit about your application?

Shawne Hindbaugh: Well when we bought that property... I mean, I don't really know what you are asking for here. But do you want me to tell you why we want to sell it? I don't understand what you are looking for here.

Tom Harper: Well I guess, what is the purpose of the subdivision?

Shawne Hindbaugh: Ummm... to downsize. We use mainly just the portion where our house is and our barn. The building that we are selling along with the two acres is mainly ... I think it was built to be a home at one point. It looks like another home there, we don't really need to use it. So we thought we'd downsize and sell it. It's on a paved road.

Tom Harper: Was there any correspondence?

Eric Furnas: No sir.

Tom Harper: Eric, do you have any comments?

Eric Furnas: Well since this covers both the city and the county, both jurisdictions have to approve the plat. This is the area that is identified on our Comprehensive Plan as being used for residential purposes. The part that is in the county is zoned residential, and the portion that's in the city is residential also. It's bordering a paved road and all of the subdivision lots have the minimum requirements. One lot, Outlot A, the way it is laid out right now is really not conducive to building, however that portion is in the City of Muscatine. Just about in every subdivision an area is reserved for green space. So they have the ability then to sell it to the adjacent landowner with ag property that surrounds the subdivision.

Virginia Cooper: Which one has the second house on it? I guess I didn't realize there was a second residence there.

Eric Furnas: There's not.

Shawne Hindbaugh: Well my husband uses it as a shop. But it just looks like a ranch style dwelling.

Virginia Cooper: Okay.

Carol Schlueter: So you live on Lot 1, correct? Or what's going to be Lot 1? Is that right?

Shawne Hindbaugh: No, I live on Lot 2.

Eric Furnas: You live on Lot 2?

Carol Schlueter: Oh then I am mixed up here.

Dixie Seitz: Which one is 3802?

Shawne Hindbaugh: That's my address and it's on Lot 2.

Carol Schlueter: Well all the buildings are on Lot 1 here.

Shawne Hindbaugh: No, let me grab my glasses here.

Virginia Cooper: Well it sure looks like it, according to that.

Brad Akers: Well the section line might be throwing you off more than anything on the north property line.

Dixie Seitz: This might help you, the subdivision is outlined.

Carol Schlueter: She doesn't live here?

Dixie Seitz: She stated on Lot 2.

Virginia Cooper: No that's all squirrely.

Carol Schlueter: No that's all different than this.

Shawne Hindbaugh: This is the lot that we are proposing, it is located in the county.

Carol Schlueter: So what are all these buildings here?

Shawne Hindbaugh: Those are my barns and whatnot. You are looking at the old layout, this is the new layout.

Carol Schlueter: So known of these are here anymore?

Tom Harper: This aerial is off of magic and they aren't always up-to-date.

Shawne Hindbaugh: But these lines are all going to be redone into this.

Virginia Cooper: When did you sell this to Gander Ridge?

Shawne Hindbaugh: Maybe six years ago.

Carol Schlueter: So that was Lot 1?

Shawne Hindbaugh: Well now it's Lot 1 of Gander Ridge, Phase II.

Carol Schlueter: So here is the line for Lot 1, so what is this?

Shawne Hindbaugh: So what I was saying is that it looks like a ranch style house from the outside but there's no plumbing.

Carol Schlueter: Okay.

Shawne Hindbaugh: So this is our house here.

Carol Schlueter: So then this is how it's going to be?

Shawne Hindbaugh: No, that's the old.

Eric Furnas: You need to all look at the subdivision plat that they are proposing.

Carol Schlueter: Okay. So really it's Lot 1, Lot 2 and Outlot A?

Eric Furnas: Correct. I was thinking that the residence was on Lot 1.

Virginia Cooper: So this is wrong, this is wrong, and this is wrong.

Eric Furnas: No they are not wrong. That shows how the property is split now and the subdivision shows how they are wanting to split it up if it's approved. So they had to do a survey to shape it differently and that's what the subdivision shows.

Carol Schlueter: I see. So Lot 2 is how many acres?

Shawne Hindbaugh: It's 3.84 acres.

Tom Harper: So they all have a minimum of one acre with 150 foot frontage?

Eric Furnas: Yes.

Carol Schlueter: So your property is located in the city and the county?

Shawne Hindbaugh: Yes.

Carol Schlueter: So Outlot A...

Eric Furnas: Is all in the city.

Carol Schlueter: Right, so they can never have a house on it because it's an outlot, is that correct?

Eric Furnas: Well outlots, according to county rules are not buildable lots. But that is in the city, so it's really not our concern.

Carol Schlueter: Okay.

Shawne Hindbaugh: There's no access to it.

Carol Schlueter: Okay, and your access is here to the other two lots, right?

Shawne Hindbaugh: Right.

Carol Schlueter: And you have two accesses for these two lots?

Shawne Hindbaugh: Exactly.

Eric Furnas: And they are existing accesses.

Carol Schlueter: Okay, thank you. I appreciate that.

Tom Harper: So the city has to approve this too?

Eric Furnas: Yes, they had to make an application to the city. They haven't heard the case yet but they will have to approve that independently.

Virginia Cooper: Is that because it's in the city?

Eric Furnas: Well twofold really, one is because the property is located in the city and the other is because the property that's in the county is located within two miles of the city limits.

Tom Harper: Does anybody else have any questions, concerns or comments? If not, does the board have anything further? Does anyone wish to make a motion to recommend to the Board of Supervisors?

Carol Schlueter: I will recommend to the Board of Supervisors approval of this preliminary and final plat of the proposed Gander Ridge Subdivision, Phase II, a three lot residential subdivision.

Tom Harper: Is there a second to that motion?

Virginia Cooper: I will second it.

Tom Harper: Is there any further discussion? Hearing none, all those in favor of the motion to recommend approval to the Board of Supervisors signify by saying Aye (4) Opposed (0) Absent (Kleppe). The motion carries. This will now go onto the Board of Supervisors.

Shawne Hindbaugh: Thank you.

MUSCATINE COUNTY ZONING COMMISSION
By Eric S. Furnas, Planning & Zoning Director